

1804-1805



Washington State Republican Party

OFFICE OF GENERAL
COUNSEL

1. This complaint is filed pursuant to 52 USC § 30109(a)(1) and is based on information and belief that Governor Jay Inslee's gubernatorial campaign committee, Jay Inslee for Washington violated the Federal Election Campaign Act ("FECA") by engaging in Federal election activity ("FEA") in violation of 52 USC § 30125(f)(1) and 11 CFR 300.71.
2. Specifically, we have reason to believe that Jay Inslee for Washington disbursed funds for a public communication which opposed Federal Presidential candidate Donald J. Trump in violation of the FECA.

- On August 2, 2016 an ad appeared in the Seattle/Tacoma television market in support of Governor Jay Inslee's re-election campaign. One witness observed the advertisement on KING-TV that morning. Another witness provided a video of the ad taken from a television broadcast which can be accessed at the following website (<http://bit.ly/2aGxLIS>).
- The ad in question ends with a voiceover saying "We all know who Bill Bryant is supporting for President." While a picture of Mr. Trump appears on the screen. The ad's closing image (a screenshot of which is included with this complaint) includes pictures of Trump and Bryant with the following text on the screen "BILL BRYANT AND DONALD TRUMP WRONG FOR WASHINGTON" above a

disclaimer text which reads "PAID FOR BY JAY INSLEE FOR WASHINGTON, DEMOCRAT, GOVERNOR."

III. SUMMARY OF THE LAW

5. 52 USC § 30125(f)(1) and 11 CFR 300.71 provide that "No individual described in 11 CFR 300.70 shall spend any funds for a public communication that refers to a clearly identified candidate for Federal office [...] and that promotes or supports any candidate for that Federal office, or attacks or opposes any candidate for that Federal office [...] unless the funds consist of Federal funds that are subject to the limitations, prohibitions, and reporting requirements of the Act."
6. 11 CFR 300.70 defines the scope of 52 USC § 30125(f)(1) as applying to "any candidate for State or local office, individual holding State or local office, or an agent acting on behalf of any such candidate or individual."
7. 11 CFR 100.26 defines "public communication" as "a communication by means of any broadcast, cable, or satellite communication, newspaper, magazine, outdoor advertising facility, mass mailing, or telephone bank to the general public, or any other form of general public political advertising."

IV: CAUSE OF ACTION

8. A television advertisement clearly falls within the definition of "public communication" as outlined in 11 CFR 100.26.
9. The television advertisement in question was paid for by Jay Inslee for Washington.
10. Donald J. Trump is a Federal candidate for the office of President of the United States.

11. Text reading "Donald Trump Wrong for Washington" can unquestionably be construed to constitute "opposition" to Mr. Trump's candidacy
12. As a registered campaign committee under Washington State Law, Jay Inslee for Washington is an agent acting on behalf of Governor Jay Inslee, a current state officeholder and candidate for state office.
13. Jay Inslee for Washington's funds are not Federal funds subject to the limitations, prohibitions, and reporting requirements of the FECA. It is not registered with the Federal Election Commission and accepts funds that are prohibited under the FECA.
14. Jay Inslee for Washington acting on behalf of Governor Jay Inslee paid for a public communication opposing a federal candidate in violation of 52 USC § 30125(f)(1) and 11 CFR 300.70.

V: PRAYER FOR RELIEF

15. We request the Federal Election Commission investigate this matter and take any and all remedial measures as required by the Federal Election Campaign Act, the Code of Federal Regulations and any other relevant statute or regulation.

Respectfully Submitted,



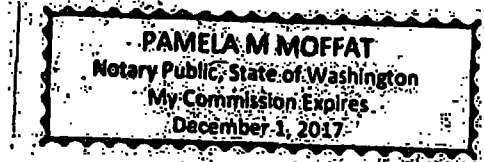
Washington State Republican Party, by
Chairman Susan Hutchison
11811 NE 1st St. Suite 306
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Subscribed and sworn to before me this 8th day of August 2016.

Pamela M. Moffat

Notary Public

My Commission Expires: 12-1-2017



LEWIS AND CLARK

WRONG FOR WASHINGTON

PAY FOR BY JAY PISSE FOR WASHINGTON, D.C. FOR